**Initial Study/Mitigated Negative Declaration**
**for the proposed**

# BROOKS MILL AGRICULTURE TIMBERLAND CONVERSION PROJECT
## Modoc County, California

**Timberland Conversion Permit #09-588**

prepared by:

**Cascade Resource Consultants**
**P.O. Box 38**
**Burney, CA 96013**
**530-335-5486**

for

**The California Department of Forestry and Fire Protection (CAL FIRE)**

Environmental Protection Program
P.O. Box 944246
Sacramento, CA 94244-2460

**May 2010**

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# INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

## Regulatory Guidance

This project involves CAL FIREôs approval of a Timberland Conversion Permit (TCP) and Timber Harvesting Plan (THP) in accordance with the Zöberg-Nejedly Forest Practice Act (Act) and the California Forest Practice Rules (Rules). According to the Act and Rules anyone that proposes to convert timberland to a non-timber growing use is required to apply for, and obtain CAL FIREôs approval of, a TCP. A TCP exempts the timberland owner from the tree stocking requirements of the Act following timber harvesting. Following TCP approval and prior to commencing timber operation, the timberland owner must submit, and obtain CAL FIREôs approval of, a THP.

CAL FIREôs approval of a TCP meets the definition of a ñProjectò under the California Environmental Quality Act (CEQA). When CAL FIRE has the primary responsibility for approving a project requiring a TCP it is the lead agency, responsible for full compliance with CEQA, including preparation of an environmental document. The associated THP undergoes a separate review and approval process in accordance with the Act and Rules; however, both the TCP-CEQA document and THP are viewed as being interrelated pieces of the same project, relying on many of the same studies and analyses. CAL FIRE only considers the approval of the TCP concurrently with the approval of the related THP.

This Initial Study/Mitigated Negative Declaration (IS/MND) describes the environmental impact analysis conducted for the proposed project. Pursuant to Section 21082.1 of the California Environmental Quality Act (CEQA), the California Department of Forestry and Fire Protection (CAL FIRE) as lead agency, has prepared, reviewed, and analyzed the IS/MND and declares that the statements made in this document reflect CAL FIREôs independent judgment. CAL FIRE further finds that the proposed project, which includes revised activities and mitigation measures designed to minimize environmental impacts, will not result in significant adverse effects on the environment.

This IS/MND has been prepared by CAL FIRE to evaluate potential environmental effects which could result following approval and implementation of the proposed project. This document has been prepared in accordance with current CEQA Statutes (Public Resources Code [PRC] §21000 *et seq*.) and current CEQA Guidelines (California Code of Regulations [CCR] §15000 *et seq*.).

An Initial Study (IS) is prepared by a lead agency to determine if a project may have a significant effect on the environment (14 CCR § 15063[a]), and thus, to determine the appropriate environmental document. In accordance with CEQA Guidelines §15070, a ñpublic agency shall prepare é a proposed negative declaration or mitigated negative declaration é when: (a) The Initial Study shows that there is no substantial evidence é that the project may have a significant impact upon the environment, or (b) The Initial Study identifies potentially significant effects but revisions to the project plans or proposal are agreed to by the applicant and such revisions will reduce potentially significant effects to a less-than-significant level.ò In this circumstance, the lead agency prepares a Mitigated Negative Declaration (MND) describing its reasons for concluding that the proposed project will not have a significant effect on the environment and, therefore, does not require the preparation of an Environmental Impact Report (EIR). This

IS/MND conforms to these requirements and to the content requirements of CEQA Guidelines Section 15071.

## CEQA Document Review and Comment

CAL FIRE has primary authority for permitting the proposed project and is the lead agency under CEQA. The purpose of this IS/MND is to disclose to the public and reviewing agencies the environmental consequences of implementing the proposed project and describe the changes made to the project to avoid significant environmental effects or reduce the effects to a level of less-than-significant. This disclosure document is being made available to the public, and reviewing agencies, for review and comment. The IS/MND is being circulated for a review period of 30 days as indicated on the ***Notice of Intent to Adopt a Mitigated Negative Declaration*** (NOI).

CAL FIRE wishes to receive comments on the adequacy of the document in addressing potentially significant environmental effects of this project and the adequacy of the measures designed to avoid or reduce impacts. All comments must be submitted to the name and address below, by the close of the comment period as stated in the Notice of Intent for this project.

Allen Robertson, Deputy Chief for Environmental Protection
California Department of Forestry and Fire Protection
P.O. Box 944246
1416 9th St. Rm. 1516-32
Sacramento, CA 94244-2460
E-mail: SacramentoPublicComment@fire.ca.gov

The THP associated with this conversion, as originally submitted for filing with CAL FIRE, can be found in Appendix B of this document. The status of the THP, as it proceeds through CAL FIREôs THP review process, can viewed at:
http://www.fire.ca.gov/ResourceManagement/THPStatusUpload/THPStatusTable.html .

The THP may also be viewed at: ftp://thp.fire.ca.gov/THPLibrary/ .

Additional information about the THP review process is available at:
http://www.fire.ca.gov/resource_mgt/resource_mgt_forestpractice_thpreviewprocess.php

California Department of Forestry and Fire Protection
6105 Airport Road
Redding, CA 96002
530-224-2445

Comments may be submitted on either this IS/MND or the THP associated with this project. CAL FIRE will recognize all comments received as being comments on the overall project regardless of whether the comments relate to the THP or this IS/MND. All comments received prior to the close of the latest comment period will be considered. Upon the close of public comment on both this IS/MND and THP, CAL FIRE may (1) adopt the Mitigated Negative Declaration and approve the TCP; (2) amend and recirculate the IS/MND; or (3) deny the TCP. Following TCP approval CAL FIRE may approve the THP.

# Project Description and Environmental Setting

The timberland owner, Rodney Flournoy, has applied to the California Department of Forestry and Fire Protection (CAL FIRE) for a Timberland Conversion Permit (TCP) to convert 259 acres of timberland for the purpose of expanding opportunities for livestock grazing. The Flournoy Ranch includes approximately 12,000 acres in rural Modoc County in Jess Valley. The conversion will facilitate an expansion of an existing cattle grazing operation. A Timber Harvest Plan (THP) has also been prepared and submitted to CAL FIRE for review. The THP, once approved, will authorize timber harvesting to facilitate the 259 acres of conversion as well as the selective harvesting of an additional 17 acres. The landowner and conversion applicant has been involved with livestock production all his life. He owns about 12,000 acres of land and timber in California. The ranch headquarters in located in Jess Valley which is about 2.8 miles south of the proposed conversion area.

## Project Location

The project is located approximately 10.25 miles northeast of Likely, CA in southern Modoc County. Access from Likely is via Jess Valley Road easterly about 12.3 miles, right on native soil road about 0.4 miles to the south portion of the conversion area in section 25. Soup Creek flows through the conversion area, then into Mill Creek which flows into the South Fork of the Pit River. The South Warner Wilderness Area is about 1.4 miles east of the conversion area.

**Legal Description**:

Portion of Sections 24, 25, & 36 T40N R14E
Located on the Soup Creek 7.5ô USGS Quadrangle Map
Modoc County Assessorôs Parcel Numbers:

29-040-11
29-060-08
29-060-19
29-060-23

**Project Description**

The following steps will be taken to convert the land to the proposed use:

1- Timber harvesting will reduce the standing timber to 25 square feet of basal area per acre in the 259 acre conversion area and 50 feet of basal area per acres in the 17 acre selection area.
2- Logging slash will be burned in the fall or winter. Some of the tops and small trees may be chipped and hauled to a wood fired power plant.
3- Stumps will be left in place.
4- The area will be seeded with grass as per Natural Resources Conservation Service (NRCS) recommendations to establish a grazing crop and complete the conversion.

**Estimated Timeline:**

1- TCP and THP to be approved in summer 2010
2- Logging will start in summer or fall 2010
3- Fall 2010 conversion area will be grass seeded
4- The NRCS recommends waiting two growing seasons after seeding before grazing to allow for complete establishment of grass.

## Environmental Setting

**Vegetation Type-**

The conversion area is Eastside Pine type (California Wildlife Habitat Relation - CWHR). The stand varies from 100% Ponderosa pine (PP) to a mixture of Ponderosa pine and white fir (PP/WF) to Ponderosa pine/western juniper (PP/WJ) along with associated sagebrush, bitter brush, manzanita, and various grasses. The timberland is second growth Ponderosa pine and white fir. Basal area averages about 100 square feet per acre.

**Topography-**

The project area is located on both sides of Soup Creek on side slopes that run generally north and south.

**Slopes-**

Slopes in the conversion area range from 5 ï 50%, but generally are less than 20%.

**Physiographic Position-**

The project is located on slopes with east and west facing aspects. The elevation ranges from 5185 ï 5820 feet.

**Soils-**

The soil series within the conversion are composed of three major families: 1) Smarts family which consists of moderately deep, well drained soils that formed from basalt or tufa with moderately slow permeability; 2) Mascamp family which consists of shallow, well drained soils formed from material weathered from andesite, basalt or volcanic tuff with moderate permeability; and 3) DeMasters family which consists of deep and a limited amount of moderately deep, well drained soils that formed in weathered basalt material. Permeability is moderately slow.

These soils generally have low erosion hazard (EHR) ratings on slopes less than 30%, and moderate EHR on slopes greater than 30%.

**Precipitation-**

The average annual precipitation is 19 inches the majority of which usually falls in the form of

snow.

**Watercourses (Class, T&I listing, TMDLs)-**

Watercourses within the conversion area include Soup Creek, a Class I watercourse, two un-named Class III watercouses, and five Class IV (man made ditches) watercourses. Soup Creek is not listed as a watercourse with Threatened and Impaired (T&I) values. Soup Creek is in the watershed of the Pit River of which some portions are on the Federal 303d list. Soup Creek is not listed as an Evolutionary Significant Unit (ESU) for Coho, Steelhead, or Chinook salmon as there are no anadromous fisheries present in the South Fork of the Pit River. The conversion area is located in the planning watershed designated Calwater version 2.2 Upper Mill Creek (5526.530201) and Lower Mill Creek (5526.530204).

**Surrounding Land Uses –**

There are varying land uses in the general area of the conversion area, but the majority of uses are associated with agriculture. The economy of the area is based on agriculture. A five acre in-holding includes recreational vacation homes. In Jess Valley, there are several bed and breakfast cabins and a number of summer homes. The majority of the land in this area is part of a working ranch.

The USFS controls the timberland to the north, east, and west of the project area. The USFS has no plans for any type of management on their timberland, except for the removal of some road-side hazard trees on the 40N24 road. This project will not have any affect on any future USFS management activities.

To the south, and in section 25 to the east, there are private timberlands. These timberlands are actively managed. This project will not have any affect on the management of their land.

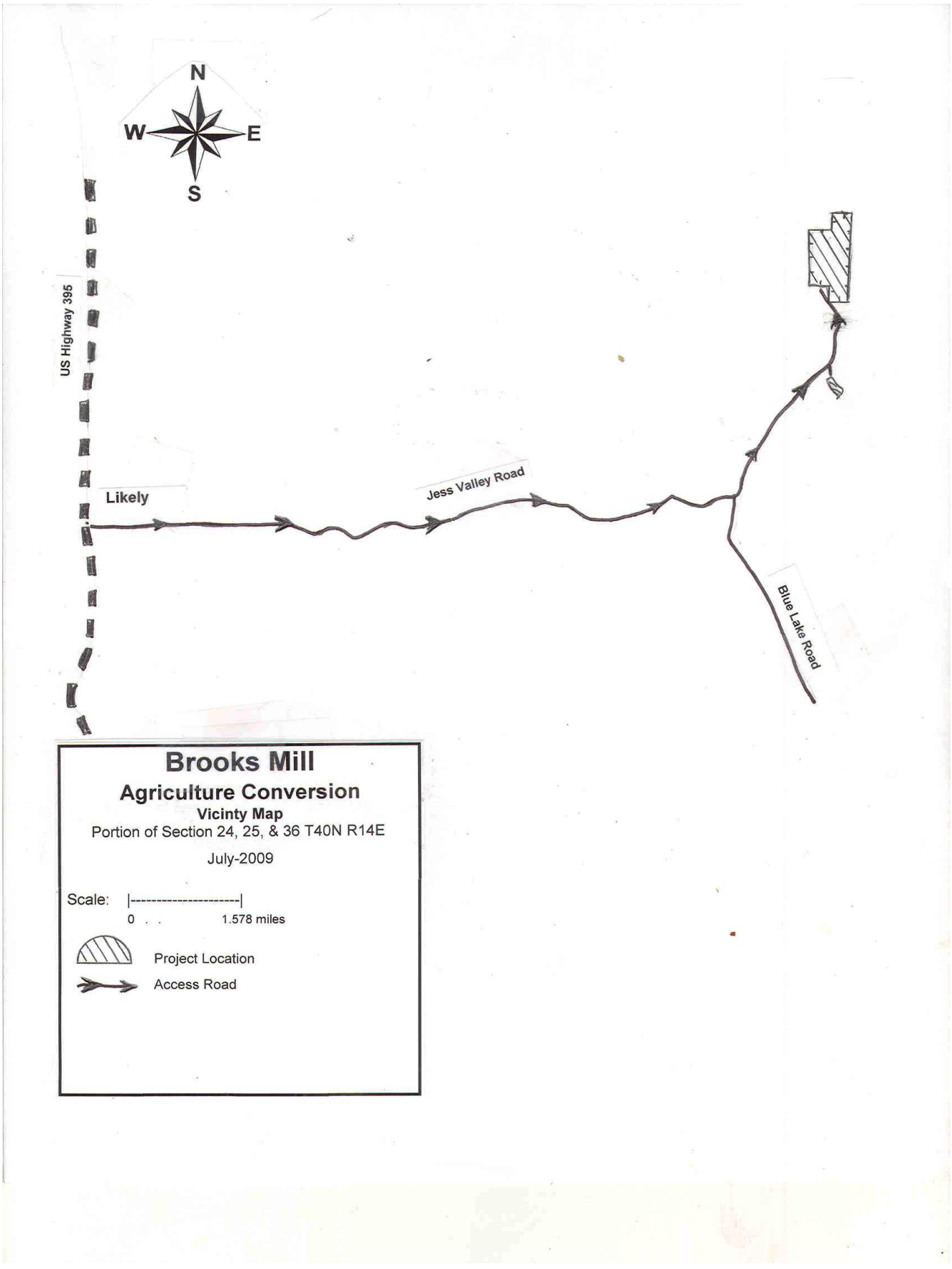
**Local Zoning-**

The Modoc County General Plan has zoned the parcels to be converted as Agriculture-Exclusive (AE). The purpose of an AE zone is to protect agriculture as an integral part of the county's economy and lifestyle by limiting incompatible land uses and reserving land that have a combination of size, water availability, soils and location suited to agriculture as defined in the General Plan. The AE zone is consistent with the exclusive agriculture general plan designation and may be applied to other high quality agricultural lands or lower quality lands that are an integral part of a ranch or farm operation, provided there are no conflicts with the general plan. The AE zone also provides for uses which support or complement agricultural uses and resource based uses such as mining, provided adverse impacts do not occur to agricultural uses in the vicinity and the setting of the use in the AE zone overrides the necessity of maintaining the land for agricultural uses.

**Roads and Access-**

The current access roads to the conversion area and property are adequate for the proposed use. All the roads within the conversion area are seasonal native soil roads. The existing road system within the property is adequate for the management and enjoyment of the property.


Figure 1. Project Vicinity Map ï near Town of Likely, Modoc County, California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Likely
Jess Valley Road
Blue Lake Road
Brooks Mill
Agriculture Conversion
Vicinty Map
Portion of Section 24, 25, & 36 T40N R14E
July-2009
Scale: |----------|
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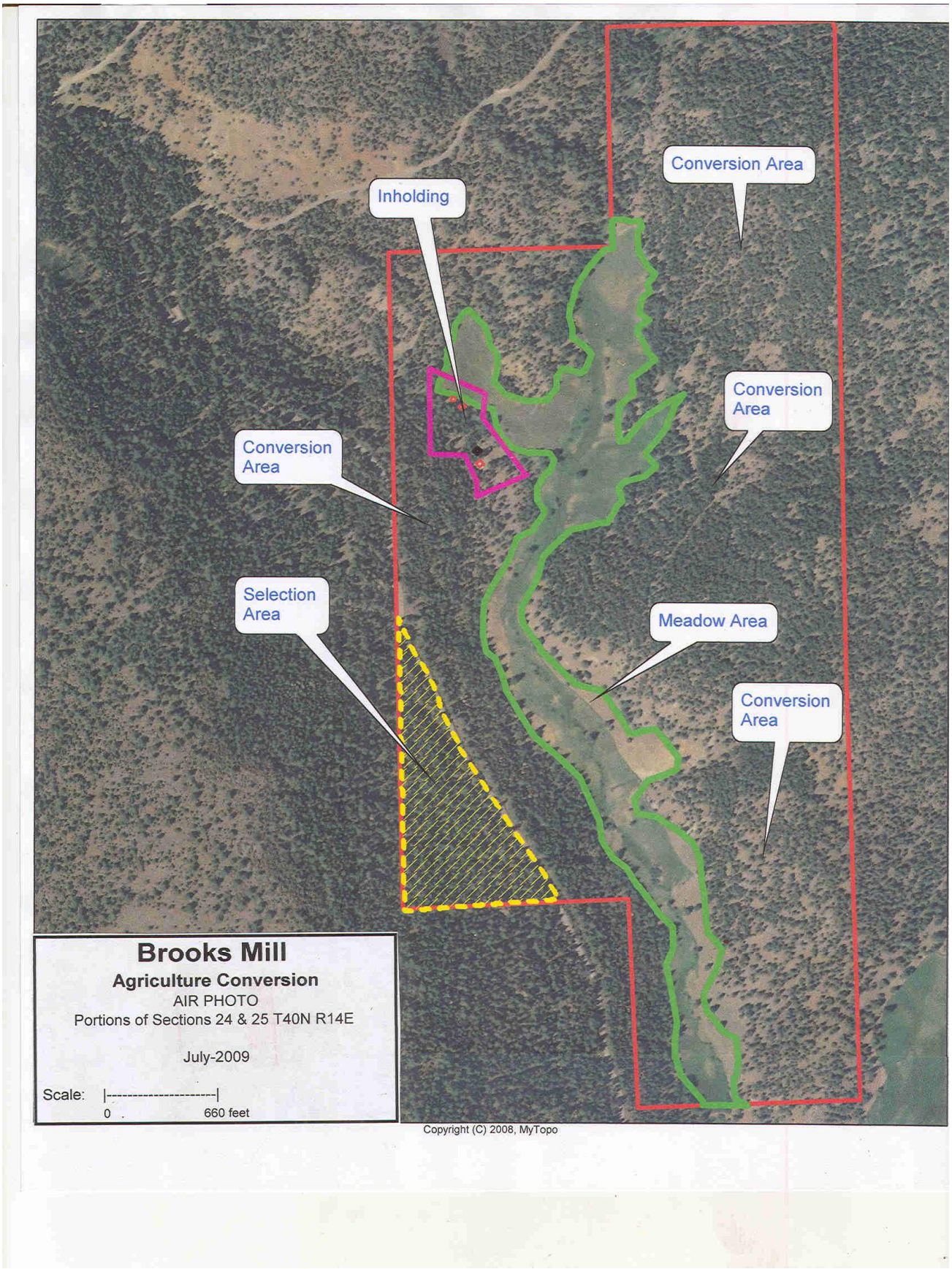
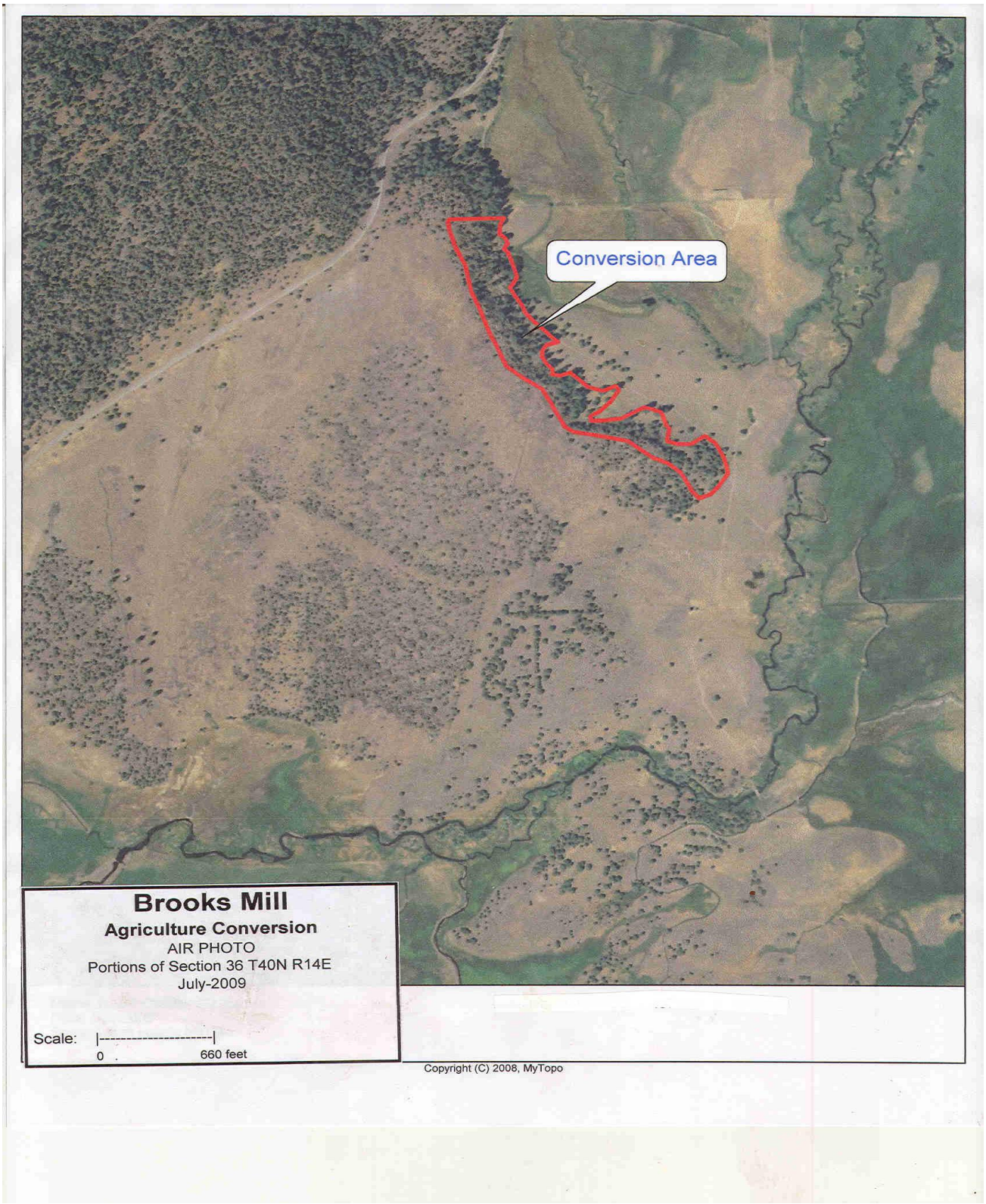
Project Location
Access Road


Conversion Area
Inholding
Conversion Area
Conversion Area
Selection Area
Meadow Area
Conversion Area
Brooks Mill
Agriculture Conversion
AIR PHOTO
Portions of Sections 24 & 25 T40N R14E
July-2009
Scale: |----------|
0 660 feet
Copyright (C) 2008, MyTopo


Conversion Area
Brooks Mill
Agriculture Conversion
AIR PHOTO
Portions of Section 36 T40N R14E
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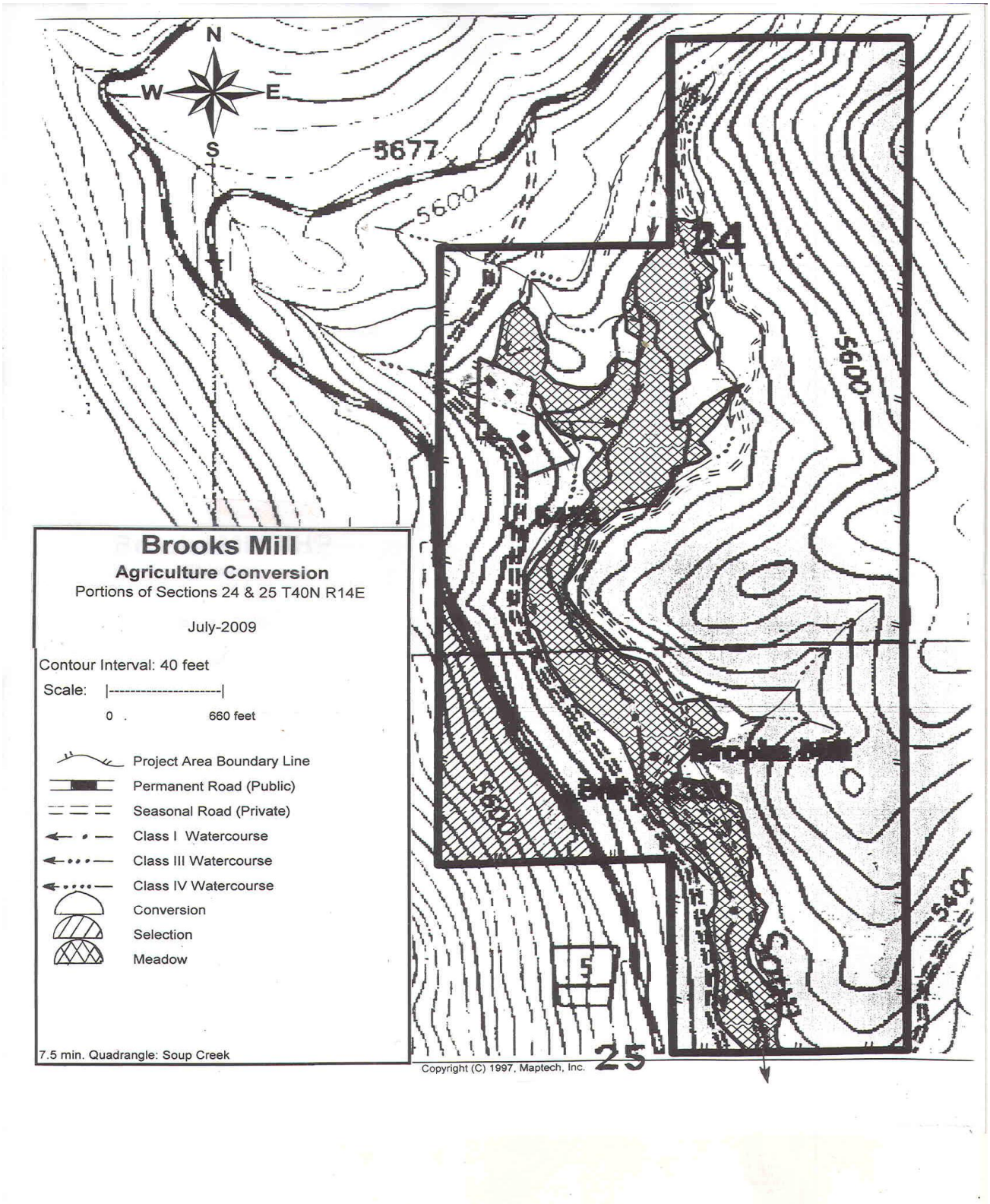
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Brooks Mill
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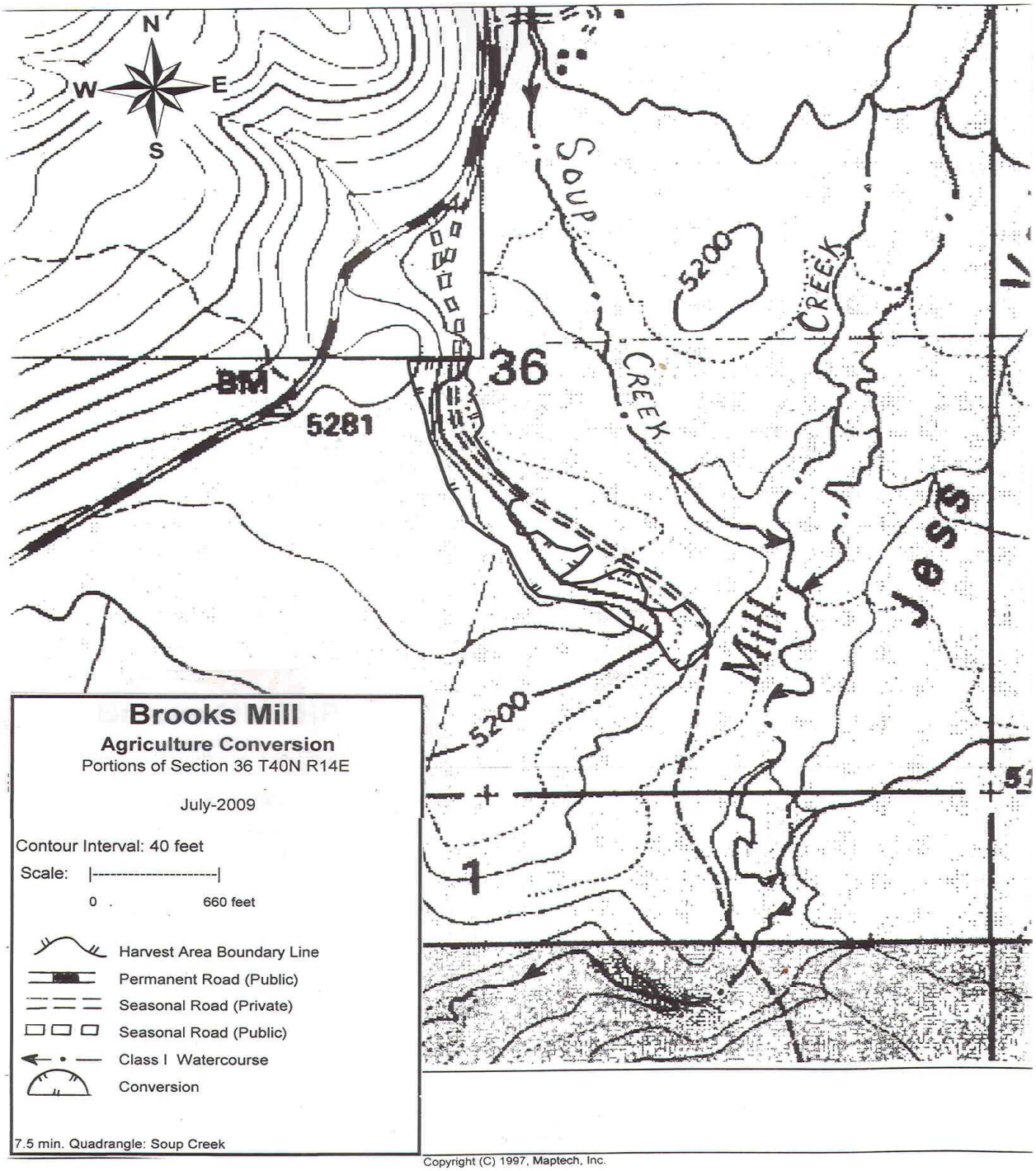
Portions of Sections 24 & 25 T40N R14E
July-2009
Contour Interval: 40 feet
Scale: |----------|
0 . 660 feet
Project Area Boundary Line
Permanent Road (Public)
Seasonal Road (Private)
Class I Watercourse
Class III Watercourse
Class IV Watercourse
Conversion
Selection
Meadow
7.5 min. Quadrangle: Soup Creek
Copyright (C) 1997, Maptech, Inc.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36
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Brooks Mill
Agriculture Conversion
Portions of Section 36 T40N R14E
July-2009
Contour Interval: 40 feet
Scale: |----------|
0 . 660 feet
Harvest Area Boundary Line
Permanent Road (Public)
Seasonal Road (Private)
Seasonal Road (Public)
Class I Watercourse
Conversion
7.5 min. Quadrangle: Soup Creek
Copyright (C) 1997, Maptech, Inc.

## Environmental Permits

The proposed project may require the following permits and approvals:

- Central Valley Regional Water Quality Control Board Waiver
- Burn Permit from the Modoc Air Pollution Control District
- Lake and Streambed Alteration Agreement (LSAA) from the Department of Fish and Game (DFG).

## Potentially Significant Effects and Mitigation Measures

The following mitigation measures will be required to avoid or minimize environmental impacts. Implementation of these mitigation measures will reduce the environmental impacts of the proposed project to a less than significant level.

**AIR RESOURCES:**

**Potentially Significant Impact 1:** Burning the slash and woody debris from site clearing activities and hauling operations during harvest operations could increase airborne pollutants.

> **Mitigation Measure 1.1:** Burning will be on permissive burn days only after the end of the CAL FIRE declared fire season and before April 1.
>
> **Mitigation Measure 1.2:** During timber operations, road running surfaces in the logging area shall be treated as necessary to prevent excessive loss of road surface materials by, but not limited to, rocking, watering, chemically treating, asphalting or oiling.
>
> **Mitigation Measure 1.3:** Plant cover crop (grass) as per NRCS recommendations after the completion of harvest operations, to reduce particulate matter.

**After Mitigation:** Implementation of the above mitigation measures will reduce this potentially significant impact to a level of less than significant.

**BIOLOGICAL RESOURCES**

**Potentially Significant Impact 2:** Potentially significant effects may occur to Northern goshawks and greater sandhill crane within the conversion area.

> **Mitigation Measure 2.1:** To enhance the foraging habitat for goshawks 125 square feet of basal area per each five acres shall be retained (average 25 square feet per acre). Trees to be retained shall be of all sizes and ages. Retained trees may be grouped within each five acre block.
>
> **Mitigation Measure 2.2:** To protect goshawks that may be present, a survey for goshawks shall be made if operations will occur within the breeding season (March 15 ï August 15). In the event nesting goshawks are discovered no operations shall occur until breeding season has ended.

**Mitigation Measure 2.3:** To protect greater sandhill cranes that may be present a survey shall be made if operations will occur within the breeding season (March 1 ï August 1). In the event cranes are discovered, no operations shall occur within the limiting distance until the breeding season has ended.

**After Mitigation:** Implementation of the above mitigation measures will reduce this potentially significant impact to a level of less than significant.

## Summary of Findings

This IS/MND has been prepared to assess the projectôs potential effects on the environment and an appraisal of the significance of those effects. Based on this IS/MND, it has been determined that the proposed project will not have any significant effects on the environment after implementation of mitigation measures. This conclusion is supported by the following findings:

1. The proposed project will have no effect related to land use and planning, mineral resources, population and housing, public services, recreation, transportation and traffic, and utilities and public services.

2. The proposed project will have a less than significant impact on aesthetics, agriculture and forest resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, and increased noise.

3. Mitigation is required to reduce potentially significant impacts related to air quality and biological resources.

The Initial Study/Environmental Checklist included in this document discusses the results of resource-specific environmental impact analyses. This Initial Study revealed that potentially significant environmental effects could result from the proposed project; however, CAL FIRE revised its project plans and has developed mitigation measures which will eliminate impacts or reduce environmental impacts to a less than significant level. CAL FIRE has found, in consideration of the entire record, that there is no substantial evidence that the proposed project as currently revised and mitigated would result in a significant effect upon the environment. The IS/MND therefore meets CAL FIREôs responsibilities for CEQA compliance.

# INITIAL STUDY/ENVIRONMENTAL CHECKLIST

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below are the ones which would potentially be affected by this proposed project and were more rigorously analyzed than the factors which were not checked. The results of this analysis are presented in the detailed Environmental Checklist which follows.

| | | | | | |
|---|---|---|---|---|---|
| ☒ | Aesthetics | ☒ | Agriculture and Forestry Resources | ☒ | Air Quality |
| ☒ | Biological Resources | ☒ | Cultural Resources | ☒ | Geology / Soils |
| ☒ | Greenhouse Gas Emissions | ☒ | Hazards & Hazardous Materials | ☒ | Hydrology / Water Quality |
| ☐ | Land Use / Planning | ☐ | Mineral Resources | ☒ | Noise |
| ☐ | Population / Housing | ☐ | Public Services | ☐ | Recreation |
| ☐ | Transportation / Traffic | ☐ | Utilities / Service Systems | ☐ | Mandatory Findings of Significance |

**DETERMINATION**

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐

I find that although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared. ☒

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

I find that the proposed project **MAY** have a ñpotentially significant impactò or ñpotentially significant unless mitigatedò impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

| | |
|---|---|
| Allen S. Robertson, Deputy Chief<br>Environmental Protection Program, Room #1516-37<br>Department of Forestry and Fire Protection<br>P.O. Box 944246<br>Sacramento, CA 94244-2460<br>916-657-0300 | Date Signed |

## ANALYSIS OF POTENTIAL ENVIRONMENTAL IMPACTS

### *Information about Aesthetics*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **I. Aesthetics. Will the project:** | | | | |
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☒ | ☐ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | ☐ | ☐ | ☒ | ☐ |
| d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

This property is located in rural Modoc County. There is a five acre parcel located within the Brooks Mill parcel that has three vacation homes. The owners of these homes will travel through a portion of the conversion area to get to their homes. The effect of the conversion will be to widen the existing meadow area along Soup Creek to the USFS boundary. Forest Road 5 passes through the westerly portion of the conversion area. Travelers on Forest Road 5 will view the expanded meadow area. The meadow area surrounding Soup Creek will be larger as a result of this conversion project but will retain an appearance that has existed in the past and considered aesthetically pleasing.

#### *a) Will the project have a substantial adverse effect on a scenic vista?*

The scenic vista will change from a forested vista to a meadow view. The surrounding land is mostly USFS and a large private landowner to the south. The area to the south is part of a cattle ranch and managed timberland. The effect of the conversion will be to increase the size of the existing meadow adjacent to Soup Creek. There will be a less than significant impact to the visual resource in converting from timberland to grazing land.

#### *b) Will the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Trees will be removed but not eliminated. Stocking will decrease from approximately 100 feet of basal area per acre to 25 feet of basal area per acre. In addition, fully stocked timberland areas will be retained on the ownership in other areas. Forest Road 5 is not a scenic state highway. The conversion area is not within any other scenic corridor. Substantial impacts to scenic resources will not occur.

#### *c) Will the project substantially degrade the existing visual character or quality of the site and its surroundings?*

The visual character will change from a forested vista to a meadow view. The view will change in character but will not be degraded. Adjacent land will remain forested. Adjacent lands to the south and east have been dedicated to agriculture production for over 100 years.

### *d) Will the project create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?*

The grassland created by the conversion will continue the vegetative appearance of the Soup Creek meadow area. No new artificial light sources will be introduced.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines **this project will have a less than significant impact on aesthetics.**

## *Information about Agriculture and Forest Resources*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **II. Agriculture and Forest Resources.** | | | | |
| In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the stateôs inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))? | ☐ | ☐ | ☐ | ☒ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☒ | ☐ |
| e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

The project area is located in the Jess Valley area of southern Modoc County. This area is surrounded by USFS timberlands, and managed timberlands and cattle ranches. This project will increase the amount of productive agricultural land on this property through conversion of 259 acres of timberland to grazing land.

***a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***

This conversion project is increasing the acreage of productive farmland in the county and does not conflict with existing zoning.

***b) Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?***

The Modoc County General Plan has zoned the parcels to be converted as Agriculture-Exclusive (AE). The purpose of an AE zone is to protect agriculture as an integral part of the countyôs economy and lifestyle by limiting incompatible land uses and reserving land that have a combination of size, water availability, soils and location suited to agriculture as defined in the General Plan. The AE zone is consistent with the exclusive agriculture general plan designation and may be applied to other high quality agricultural lands or lower quality lands that are an integral part of a ranch or farm operation, provided there are no conflicts with the general plan. The AE zone also provides for uses which support or complement agricultural uses and resource based uses such as mining provided adverse impacts do not occur to agricultural uses in the vicinity and the sitting of the use in the AE zone overrides the necessity of maintaining the land for agricultural uses. The conversion does not conflict with existing zoning

***c) Would the project conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?***

The conversion area is stocked with commercial conifer species and therefore meets the definition of timberland found in the Public Resources Code. However, it has not been zoned by the County as Timberland Production Zone. No change in zoning is necessary to allow the new use to occur.

***d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?***

The project description states that within the conversion area, tree stocking will be reduced from 100 square feet of basal area to 25 square feet of basal area per acre. The post logging stocking level does not meet the minimum timberland stocking requirements and therefore meets the definition of timberland conversion. Because it is timberland, the conversion to another non-timber growing use requires the approval of a Timberland Conversion Permit by CAL FIRE. However, some stocking will remain; therefore, the project area will still be forested, though sparsely. In addition, many areas, both within the project area and on adjoining ownerships will remain as timberland.

Modoc County contains over 241,000 acres of private timberland or 668,000 acres including federal timberlands (California Statistical Abstracts 2009). In that timberland conversion is an infrequent occurrence in Modoc County, the conversion of 259 acres to grazing is a less than significant effect.

***e) Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?***

This proposal to establish grazing land is unlikely to result in any other changes that would further the conversion of farmland or forestland.

As a result of all the information before it, including the analysis contained in this initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber

Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on agriculture resources of forest resources.**

## *Information about Air Quality*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **III. Air Quality.** | | | | |
| Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations. Will the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☒ | ☐ | ☐ |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☐ | ☒ |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ☐ | ☐ | ☐ | ☒ |
| d) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☒ | ☐ | ☐ |
| e) Create objectionable odors affecting a substantial number of people? | ☐ | ☒ | ☐ | ☐ |

### *Discussion*

The project area is located in the Jess Valley area of southern Modoc County. This area is surrounded by USFS timberlands, and managed timberlands and cattle ranches. There is a five acre parcel located within the Brooks Mill parcel that has three vacation homes. The logging slash that is not chipped will be piled and burned.

It is anticipated that dust and smoke will be generated from conversion activities. Once the logging is completed and the grass has been planted dust should be kept to a minimum. There will be no smoke produced after the logging slash has been burned. Native surface roads shall be dust abated during timber harvest operations. Modoc County does not require a Smoke Management Plan for burning vegetative material generated from land clearing. There will be no use of herbicides or pesticides to establish or maintain the grazing land.

Kate Haas, Modoc County Air Quality was contacted by phone on July 13, 2009. She said that clearing and burning did not conflict with local air quality regulations. She said there are currently no county restrictions or permits needed, but burn-day requirements and CAL FIRE restrictions on burning during ñfire seasonò are to be abided by.

### *a) Will the project conflict with or obstruct implementation of the applicable air quality plan?*

Burning can obstruct implementation of the Modoc County air quality plans. To reduce the impact, burning shall be done during the winter period when it is safe to burn and on a burn day so that smoke will be dispersed. To reduce the amount of dust created during the harvest operations, the haul roads shall be watered as needed. See the THP for location of drafting site.

**Potentially Significant Impact 1:** Burning the slash and woody debris from site clearing activities and hauling operations during harvest operations could increase airborne pollutants.

**Mitigation Measure 1.1:** Burning will be on permissive burn days only after the end of the CAL FIRE declared fire season and before April 1.

**Mitigation Measure 1.2:** During timber operations, road running surfaces in the logging area shall be treated as necessary to prevent excessive loss of road surface materials by, but not limited to, rocking, watering, chemically treating, asphalting or oiling.

**Mitigation Measure 1.3:** Plant cover crop (grass) as per NRCS recommendations after the completion of harvest operations to reduce particulate material.

***b) Will the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

None.

***c) Will the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?***

None.

***d) Will the project expose sensitive receptors to substantial pollutant concentrations?***

Smoke and dust will be mitigated as above. Neither herbicides nor pesticides are used anywhere on this ranch.

***e) Will the project create objectionable odors affecting a substantial number of people?***

Impacts during project implementation will be mitigated as above. Cattle grazing is a current practice within the conversion area and generally few people are present in the area.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that this project may have a significant impact on air resources; therefore the implementation of these mitigations measures is required and as such **will reduce impacts to a level of less than significant**.

## *Information about Biological Resources*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **IV. Biological Resources. Will the project:** | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service? | ☐ | ☒ | ☐ | ☐ |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service? | ☐ | ☐ | ☒ | ☐ |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☒ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |

## *Information about Biological Resources*

The project area is considered to be predominately eastside pine type with montane riparian type along Soup Creek. Species present are primarily ponderosa pine and western juniper in the eastside pine type and willows and aspen in the montane riparian type. The pine stands are second growth, having been harvested at least twice, the last entry being in the 1970ôs. Developed agricultural operations are extensive in the area to the south and southeast of the proposed conversion area.

**Listed/sensitive species present/potentially present (Federal, State, Local, other)**

Information on the following species that are potentially present was collected from the Natural Diversity Data Base (NDDB) and the California Native Plant Society (CNPS).

| **Birds** | |
|---|---|
| Bald Eagle (*Haliaeetus leucocephalus*) | State Endangered- State fully protected |
| Great Gray Owl (*Strix nebulosa*) | State Listed as Endangered |
| California Spotted Owl (*Strix occidentalis occidentalis*) | State Species of Special Concern |
| Northern Goshawk (*Accipiter gentilis*) | State Species of Special Concern |

| | |
|---|---|
| Willow Flycatcher (*Empidomax traillii*) | State Listed as Endangered |
| Greater Sand-Hill Crane (*Grus canadensis*) | State Listed as Threatened |
| Prairie Falcon (*Falco mexicanus*) | State Species of Special Concern |
| Osprey (*Pandion haliaetus*) | State Species of Special Concern |

| **Fish** | |
|---|---|
| Redband trout (*Onchynchus mykiss newberrii*) | State Species of Special Concern |

| **Mammals** | |
|---|---|
| American Badger (*Taxidea taxus*) | State Species of Special Concern |
| American Martin **(***Martes americana*) | State Species of Special Concern |
| California Wolverine (*Gulo gulo*) | State Listed as Threatened |
| Pacific Fisher (*Martes pennanti pacifica*) | State Candidate for listing CESA |
| Sierra Nevada Red Fox (*Vulpes vulpes necatro*) | State Listed as Threatened |

| **Plants** | |
|---|---|
| Grass alisma (*Alisma gramineum*) | CNPS List 2.2 |
| Masonic rock cress (*Arabis* cobrensis) | CNPS List 2.3 |
| Hillside arnica (*Arnica fulgens*) | CNPS List 2.2 |
| Falcate saltbush (*Atriplex gardneri* var. *falcata*) | CNPS List 2.2 |
| Dwarf resin birch (*Betula glandulosa*) | CNPS List 2.2 |
| Upswept moonwort (*Botrychium ascendens*) | CNPS List 2.3 |
| Scalloped moonwort (*Botrychium crenulatum*) | CNPS List 2.2 |
| Common moonwort (*Botrychium lunaria*) | CNPS List 2.3 |
| Mingan moonwort (*Botrychium minganense*) | CNPS List 2.2 |
| Mud sedge (*Carex limosa*) | CNPS List 2.2 |
| Liddonôs sedge (*Carex petasata*) | CNPS List 2.3 |
| Sheldonôs sedge (*Carex sheldonii*) | CNPS List 2.2 |
| Western valley sedge (*Carex vallicola*) | CNPS List 2.3 |
| Fell-fields claytonia (*Claytonia megarhiza*) | CNPS List 2.3 |
| Yakima birdôs-beak (*Cordylanthus capitatus*) | CNPS List 2.2 |
| Spiked larkspur (*Delphinium stachydeum*) | CNPS List 2.3 |
| Doublet (*Dimeresis howellii*) | CNPS List 2.3 |
| English sundew (*Drosera anglica*) | CNPS List 2.3 |
| Snake River daisy (*Erigeron disparipilus*) | CNPS List 2.1 |
| Prostate buckwheat (*Eriogonum prociduum*) | CNPS List 1B.2 |
| Modoc bedstraw (*Galium glabrescens ssp. modocense*) | CNPS List 1B.2 |
| Boggs Lake hedge-hyssop (*Gratiola* | CNPS List 1B.2 |

| | |
|---|---|
| *heterosepala*) | |
| MacDougalôs lomatium (*Lomatium foeniculaceum var. macdougalii*) | CNPS List 2.2 |
| Hendersonôs lomatium (*Lomatium hendersonii*) | CNPS List 2.3 |
| Ravenôs lomatium (*Lomatium ravenii*) | CNPS List 2.3 |
| Adobe lomatium (*Lomatium roseanum*) | CNPS List 1B.2 |
| Bearded lupine (*Lupinus latifolius var. barbatus*) | CNPS List 1B.2 |
| Lilliput lupine (*Lupinus uncialis*) | CNPS List 2.2 |
| Toiyabe bluebells (*Mertensia cusickii*) | CNPS List 2.2 |
| Long bluebells (*Mertensia longiflora*) | CNPS List 2.2 |
| Beautiful sagebrush bluebells (*Mertensia oblongifolia var. amoena*) | CNPS List 2.2 |
| Sagebrush bluebells (*Mertensia oblongifolia var. oblongifolia*) | CNPS List 2.2 |
| Cusickôs monkeyflower (Mimulus cusickii) | CNPS List 2.3 |
| Great Basin nemophila (*Nemophila breviflora*) | CNPS List 2.3 |
| Blunt-fruited sweet-cicely (*Osmorhiza depauperata*) | CNPS List 2.3 |
| Blue alpine phacelia (*Phacelia sericea var. ciliosai*) | CNPS List 2.3 |
| Squarestem phlox (*Phlox muscoide*) | CNPS List 2.3 |
| Slender-leaved pondweed (*Potamogeton filiformis*) | CNPS List 2.2 |
| Eel-grass pondweed (*Potamogeton zosteriformis*) | CNPS List 2.2 |
| Western black currant (*Ribes hudsonianum var. petiolare*) | CNPS List 2.3 |
| Bebbôs willow (*Salix bebbiana*) | CNPS List 2.3 |
| Fleshy sage (*Salvia dorrii var. incana*) | CNPS List 3 |
| Tufted saxifrage (*Saxifraga cespitosa*) | CNPS List 2.3 |
| Oregon campion (*Silene oregana*) | CNPS List 2.3 |
| Hairy marsh hedge-nettle (*Stachys palustris ssp. pilosa*) | CNPS List 2.3 |
| Wooly Stenotus (*Stenotus lanuginosus*) | CNPS List 2.2 |
| Kitten-tails (*Synthyris missurica ssp. missurica*) | CNPS List 2.3 |

The Biological Assessment Area (BAA) was established as the Upper and Lower Mill Creek Watershed. See the THP for a map of the BAA. Rational for establishing this assessment area for biological analysis is the size and location of the assessment area is a reasonable area which can be researched for cumulative impacts and the area is consistent with the assessment area recommended by the Board of Forestry and Fire Protection in Technical Rule Addendum #2.

Much of the water in Soup Creek is diverted by the landowner into irrigation ditches to water the adjacent meadow area in the summer months. However, there is habitat above the project area

and below it that provides suitable habitat in the summer and fall. The stream banks of Soup Creek are in good condition due to the timing and limitations that the owner has put on the cattle grazing. By following the Forest Practice Rulesô requirements to avoid sensitive resources, the aquatic and near-water habitat conditions within the assessment area will not be significantly affected by this conversion operation The conversion will not have a significant adverse cumulative impact on the future recruitment of large woody debris, shade canopy and water temperature. There will be no negative impacts to habitat conditions along the downstream Class I Watercourse due to this project.

The number of snags/den trees in the plan area will be maintained with the retention of green culls. In the surrounding USFS timberlands there is an abundance of snags and den trees. All sound large woody debris (LWD) in the conversion area will be treated by chipping or burning. All unsound LWD material will remain. Recruitment of future large woody downed material will be from future storm damage and natural mortality throughout the timbered area.

25 square feet/acre of conifer basal area will be retained within the conversion area. Tress of all sizes will be retained. This will offer a variety of wildlife habitats and will allow for the production of grass for grazing. The retained trees will be beneficial perch trees for foraging goshawks.

Permanent roads in the assessment area are both surfaced county roads and private surfaced roads. Seasonal roads within the assessment area are mainly for land management activities and access to undeveloped parcels. This conversion will not significantly increase the road density in the assessment area

There are no hardwoods within the conversion area. The few hardwoods within the assessment area provide structural and habitat diversity.

The habitat present on the conversion area and surrounding lands does not have the characteristics of late seral forests. The adjacent properties are private (recreational homes and agriculture) and public (USFS)

### *Discussion*

***a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?***

**Greater sandhill crane –**California Threatened- there is limited nesting and foraging habitat for sandhill cranes along Soup Creek in a narrow strip (10 chains max). This area is proximate to but outside of the conversion area. A search for sandhill cranes should be completed if conversion operations occur during the breeding season.

**Northern goshawk**-State Species of Concern- there is limited nesting and roosting habitat within the conversion area. This property is surrounded on three sides by USFS property. Habitat for the northern goshawk is present within the USFS property. To date no occupied goshawk nest

sites have been found within the harvest area. The conversion area will provide foraging territory for goshawks. In consultation with DFG, it was recommended that 125 square feet of basal area per 5 acre parcel be left to allow perch trees for the goshawks. A northern goshawk survey shall be conducted if operations will be during the nesting season.

**Goose Lake Redband Trout-** Soup Creek and Mill Creek have populations of red band trout. There is an extensive meadow area next to about 80% of Soup Creekôs length is adjacent to the conversion area. This meadow will prevent incidental deposition of sediment in the watercourse. In the area where the conversion is adjacent to the watercourse, The Forest Practice Rules require that a watercourse and lake protection zone (WLPZ) be established that will limit harvesting and restrict heavy equipment entry to existing and proposed crossings. It is unlikely that there will be any impact to the red band trout or its habitat. Mill Creek will not be affected by the proposed project due to distance from the conversion area.

**CNPS plant species-** the nine quad search revealed 47 plant species within the 9 quads. Of these, 6 plant species were determined to have possible habitat within the conversion area. A plant survey was conducted during the blooming season in 2009 by botanist Martin Lenz. None of these 6 species were located within the conversation area. Mr. Lenzôs ñPlant Survey Reportò is in Appendix D .

- Spiked larkspur
- Doublet
- Prostrate buckwheat
- Boggs Lake hedge-hyssop
- MacDougalôs lomatium
- Adobe lomatium
- Long bluebells
- Cusickôs monkeyflower
- Hairy marsh hedge-nettle

**Potentially Significant Impact 2:** Potentially significant effects may occur to Northern goshawks and greater sandhill crane within the conversion area:

> **Mitigation Measure 2.1:** To enhance the foraging habitat for goshawks 125 square feet of basal area per each five acres shall be retained (average 25 square feet per acre). Trees to be retained shall be of all sizes and ages. Retained trees may be grouped within each five acre block.
>
> **Mitigation Measure 2.2:** To protect goshawks that may be present a survey for goshawks shall be made if operations will occur within the breeding season (March 15 ï August 15). In the event nesting goshawks are discovered, no operations shall occur within the limiting distance until the breeding season has ended.
>
> **Mitigation Measure 2.3:** To protect greater sandhill cranes that may be present a survey of shall be made if operations will occur within the breeding season (March 1 ï August 1). In the event greater cranes are discovered no operations shall occur within the limiting distance until the breeding season has ended.

***b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?***

No riparian or sensitive natural habitat will be impacted by this conversion. Soup and Mills Creeks are protected from conversion project effects by standard WLPZ buffers required under the Forest Practice Rules and existing meadows.

***c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

No federally protected wetlands (Section 404) are within the conversion area nor will any outside of the proposed conversion area be impacted by this conversion.

***d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

This project will not interfere with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.

***e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

This project will not conflict with any local policies or ordinances protecting biological resources.

***f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

This project will not conflict with any approved local, regional, or state Habitat Conservation Plan, or Natural Community Conservation Plan

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that this project may have a significant impact on biological resources, therefore the implementation of these mitigations measures is required and as such **will reduce impacts to a level of less than significant**.

## *Information about Cultural Resources*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **V. Cultural Resources. Will the project:** | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | ☐ | ☐ | ☒ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | ☐ | ☐ | ☒ | ☐ |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☐ | ☒ |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☐ | ☒ | ☐ |

### *Discussion*

An Archaeological Information search for the project area was made by the Northeast Information Center. The search was negative for any recorded sites. The Information Center did report that there is a sparse lithic scatter in the project vicinity and a historic telephone line (P-25-006379). Informally documented sites in the vicinity were reported as a rock wall, a ditch, rock foundation, telephone line, and a dumpsite. This area was settled in the 1870ôs. Ranching, logging, and lumbering have occurred since that time. The Brooks Sawmill was operated adjacent to the project area from 1922 ï 1945.

The project area was surveyed by three RPFôs with current CAL FIRE Archaeological training, Michael Bates, Michael Goodner, and Brendan OôRiordan. As a result of the survey the Brooks Mill site was recorded and the phone line that crosses the project area and an isolated obsidian chip was found.

A discussion of the methods and findings and new site records can be found in the Confidential Archaeological Addendum in the THP.

***a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?***

***b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?***

There is one historic feature within the project area and one historical site adjacent to it. These sites were recorded and will be protected during conversion operations. Three RPFôs with current archaeological training conducted the archaeological survey.

***c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

There are no known records of a unique paleontological resources or site or unique geological feature. No unique paleontological resource or site or unique feature have been found within the project boundaries.

### *d) Would the project disturb any human remains, including those interred outside of formal cemeteries?*

There are no known records of human remains or known visual burials sites within the project area.

Should any sites be found during conversion operations all work shall stop within 100 feet of the site until a qualified archaeologist can assess the significance of the find, and if necessary, develop appropriate protection measures in consultation with CAL FIRE.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that this project **will have a less than significant impact on cultural resources.**

## *Information about Geology and Soils*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **VI. Geology and Soils. Would the project:** | | | | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.) | ☐ | ☐ | ☒ | ☐ |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☒ | ☐ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ |
| iv) Landslides? | ☐ | ☐ | ☒ | ☐ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |
| c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | ☐ | ☐ | ☒ | ☐ |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property? | ☐ | ☐ | ☐ | ☒ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | ☐ | ☐ | ☐ | ☒ |

**Discussion**

The conversion area is described by the ridges that define the southern drainage of the main fork of Soup Creek. The majority of the conversion acreage is on the eastern west facing ridge. Elevations range from 5200-5825 feet. Slopes range from 10% on the lower toe-slopes that approach the creek to 50% near the ridges. Soils are the Smarts, Mascamps, and DeMasters soil series which are derived from igneous parent materials, and are moderately well drained. EHR is low on slopes less than 30%, and moderate on slopes greater than 30%. There are no unstable areas or slide areas.

***a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:***

***i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)***

***ii) Strong seismic ground shaking?***

***iii) Seismic-related ground failure, including liquefaction?***

***iv) Landslides?***

According to the California Division of Mines and Geology Special Publication 42, Modoc County is not on the list of Counties affected by the Alquist-Priolo earthquake fault zones as of May 1, 1999. The project is not in an area of the state which historically has had large earthquakes. The project area is not in a location prone to landslides.

***b) Would the project result in substantial soil erosion or the loss of topsoil?***

Soil erosion will be controlled with the use of waterbars (moderate EHR spacing) on skid roads and truck haul roads. There are no winter operations planned.

***c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?***

Soils within the conversion area are weathered igneous, and are generally stable. There is no evidence in the project area or adjacent area of any significant land-soil movement.

***d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?***

The soils within the project area are not considered expansive soils and no construction is proposed.

***e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

There are no septic tanks or alternative waste water disposal systems proposed for this project.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on geology and soils.**

## *Information about Greenhouse Gas Emissions*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **VII. Greenhouse Gas Emissions. Would the project:** | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |

### Discussion

CEQA Guideline § 15064.4 requires a lead agency to make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of Greenhouse Gas (GHG) emissions resulting from a project, and make a careful judgment to determine significance. The analysis presented below was conducted in accordance with the GHG analysis requirements found in the CEQA Guidelines and utilized recently published technical guidance for CEQA environmental impact studies (ICF Jones and Stokes 2007, CAPCOA 2008, and OPR 2008).

State Law (Health and Safety Code §38505g) defines greenhouse gas to include carbon dioxide, methane, nitrous oxide, hydro-fluorocarbons, per-fluorocarbons, and hexafluoride. Significant changes in global climate patterns have recently been associated with global warming which has been attributed to the accumulation of GHG emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally while others are created and emitted solely through human activities. The emission of GHGs from burning fossil fuels (i.e., fuels containing carbon), in conjunction with other human activities, appears to be closely associated with global warming (OPR 2008:2). The standard unit to measure GHG emissions is expressed in metric tons (or tonnes) of CO2e.

## Total GHG Emissions by Project Activity

| | Project Activity<br>Tree Removal in Conversion Area<br>(259 Acres) and Selection Area (17 acres) | Quantity | Conversion Factor | GHG Emissions CO2e in metric tons (2204.6 lbs) |
|---|---|---|---|---|
| 1 | 1. Total tree carbon (bole, roots, bark)<br>2. Less carbon to mill<br>3. Less material bio-mass plant | 8,515.5 tonnes of C<br>(Ave. BA 100 ft. = 42 tonnes C/acre) | 1. (8,515.5 tonnes C * 3.67)<br>2. (31,251.9 tonnes C * 0.675 * 0.463) Sawlogs<br>3. (31,251.9 tonnes C * .35 * .95) Bio-mass | 31,251.9<br>-9,767.0<br>-10,391.3<br>11,093.6 |
| 2 | **Diesel Fuel Used During Tree Removal** | 21,843 gallons of diesel | **10.15 KG/GAL**<br>(21,843 * 10.15 / 1000) | 221.7 |
| 3 | **Diesel Fuel Used in Chipping Operation** | 7,602 gallons of diesel | **10.15 KG/GAL**<br>(7,602 * 10.15 / 1000 | 77.2 |
| 4 | **Diesel Fuel Used in Site Preparation for Planting** | 600 gallons of diesel | **10.15 KG/GAL**<br>(600 * 10.15 / 1000 | 6.1 |
| 5 | **TOTAL** Release | | | 11,321.4 |

CAL FIRE estimates that timberlands stocked at between 87.5 and 178.5 sq. ft. per acre contain approximately 42 tonnes (metric ton = 1000 kg = 2204 lbs) of carbon (C) in above and below ground biomass (communications with T. Robards, 2010). The project site averages approximately 100 sq. ft. per acre and that following conversion operations 25 sq. ft. of BA will be retained on the conversion site and 50 sq. ft. of BA on the selection site. The conversion of 259 acres and selection logging of 17 acres of PP/WF/WJ timberland would emit 31,251.9 tonnes of CO2e if it were burned in the open air. Some of the timber will be converted to forest products. Assuming average mill efficiencies (0.675) and long-term product storage values (0.463) it is estimated that 9,767.0 tonnes of CO2e (carbon dioxide equivalents) will be sequestered in lumber. The tops and sub-merchantable trees will be taken to a wood fired power plant. Approximately 35% of the standing stems are composed of tops and sub-merchantable trees. Therefore 10,391.3 CO2e emissions will be offset by burning it in a power plant. In that the timberland is converted to a non-timber growing use there will be limited capacity for this site to resequester the GHG emitted following completion of conversion operations as would occur following typical timber harvesting without conversion occurring.

In addition to the tree C that is released there are emissions associated with energy consumed during project development. This includes diesel fuel used during timber harvesting (221.7 tonnes of CO2e), chipping operation (77.2 tonnes of CO2e) and site development (6.1 tonnes CO2e) resulting in 305.0 tonnes in total project related emissions.

There are several project related factors that minimize the severity of the GHG releases that will occur. In that the conversion area has had its stocking reduced, but not eliminated, there is some capacity for the remaining trees (approximately 25%) to continue growing and sequestering carbon. In addition, there are surrounding timberlands and forest lands that will continue to grow. And, not all tree removals will result in immediate CO2e releases; approximately 3885 tonnes will remain sequestered in standing inventory for long-term storage. Since the conversion is for the purpose of developing grazing land, much of the annual forage is utilized by grazing animals for meat and dairy production.

***a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

There will be GHG emissions but the one time emission of 11,321.4 tonnes of CO2e is not a significant impact on the environment, particularly given the project sitesô potential for sequestering some of the emitted CO2.

***b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

There are no local plans, policies, or regulations which are applicable to this issue. State mandates include Assembly Bill 32 requiring various sectors to reduce their emissions to 1990 levels by 2020. However, the forestry sector has not regulated the acreage of timberland permitted for conversion annually. Emissions associated with conversions have declined substantially in the past several years in compliance with AB 32.

## *Information about Hazards and Hazardous Materials*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **VIII. Hazards and Hazardous Materials. Would the project:** | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☐ | ☒ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☒ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, Would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, Would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☒ | ☐ |

## *Discussion*

This 259 acre project is part of a larger ranch complex within Jess Valley. Historically, the project property was logged and lumber was milled on-site and sold to local clients. In more recent times, cattle grazing has replaced lumbering. There are no known waste or debris dumps, hazardous materials, serpentine (asbestos) soils, mine shafts, or other on or adjacent to the property that may constitute a hazard or hazardous materials impact for the proposed project. The ranch does not use herbicides or insecticides.

### *a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

During harvesting activities and land management activities, equipment fuel and other hazardous materials will likely be transported to, and stored on the property. The landownerôs compliance with county, state, and federal requirements for transport, use, storage, and disposal of hazardous materials and containers will help ensure protection to public and the environment. Mr. Flournoy does not use insecticides or herbicides on his ranch.

***b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?***

There could be a serious hazard if an accidental spill of hazardous materials occurred near a watercourse. The conversion and THP limitations near watercourses will reduce the chances of any potential spills. The landowner and contractors compliance with county, state, and federal requirements for transport, use, storage, and disposal of hazardous materials and containers will help reduce the chances of upset and accident conditions involving the likely release of hazardous materials into the environment.

***c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

There are no schools within ¼ mile of the project area.

***d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

The property is not on the Government Code Section 65962.5 list.

***e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?***

The property is not near an airfield.

***f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?***

The property is not near an airfield.

***g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

The project will not impair or impede an emergency response or evacuation plan.

***h) Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?***

The project will reduce the fuels for wildland fires and thus reduce the potential for fire. Slash piles to be burned will have control lines (mineral soil) around the piles.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on hazards and hazardous materials.**

### *Information about Hydrology and Water Quality*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **IX. Hydrology and Water Quality. Would the project:** | | | | |
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☐ | ☒ | ☐ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level that will not support existing land uses or planned uses for which permits have been granted)? | ☐ | ☐ | ☐ | ☒ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial on- or off-site erosion or siltation? | ☐ | ☐ | ☐ | ☒ |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding? | ☐ | ☐ | ☐ | ☒ |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☐ | ☒ |
| f) Otherwise substantially degrade water quality? | ☐ | ☐ | ☐ | ☒ |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☒ |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☐ | ☒ |
| j) Result in inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

**Soup Creek-** (5,010 acres watershed) is in the northeast of the WAA, and flows southwesterly to merge with Mill Creek. The channel has a low streambed gradient (less then 5%) and a rock-boulder substrate at the upper end, with a light amount of areas that pool. The lower channel is meandering through meadows and pasturelands, here the stream channel has little or no gradient, the sideslopes are moderate to low, and the stream velocity is slow, vegetation is sparse to moderate with low amounts of LWD. Dense grasses and forbs dominate these lower reaches. The lower stream banks show signs of light degradation due to cattle grazing.

The conversion area will be seeded to grass immediately following the conclusion of timber operations. The NRCS has recommended three species to be planted; 1) Idaho Fescue (8 lbs./acre), 2) Bluebunch Wheatgrass (18 lbs./acre), and 3) Intermediate wheatgrass (16 lbs./acre). All seed shall be delivered to the site tagged and labeled in accordance with the California

Agricultural Code, and shall be acceptable to the County Agricultural Commissioner. Bag tag figures will be evidence of purity and germination. Time since date of seed test shall not exceed 9 months. Seed shall be of a quality that weed seed shall not exceed 0.5 percent of the aggregate of pure live seed (PLS) (percent germination x percent purity) and other material.

***a) Would the project violate any water quality standards or waste discharge requirements?***

A waiver of waste discharge requirement permit will be filed with the RWQCB, Sacramento Region, prior to the start of harvest operations. All activities for the establishment of the grassland and timber harvest shall comply with the requirements of this permit. Logging and site clearing operations expose large areas of bare soil, which has the potential to cause significant impacts to water resources if adequate measures are not implemented. Installation and maintenance of waterbars on skid roads and un-surfaced dirt roads according to FPR standards post harvest will reduce the potential for increased runoff hazards in compacted and or freshly disturbed soils. Waterbreaks will be installed at spacing appropriate for a Moderate Erosion Hazard Rating and will be maintained during conversion operations.

***b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?***

Local groundwater supplies will not be used for this agriculture operation. Irrigation water will be obtained solely from Soup Creek.

***c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?***

The drainage pattern of the project area will not be significantly altered, with overland water flow passing over the property in the same manner as prior to the project. Volume of overland flows should remain the same. Equal overland flows will not change the potential for erosion or flooding onsite or downslope. Storm water surface runoff will be mitigated by planting of grass upon the completion of harvest operations.

***d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding?***

***e) Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?***

There are no storm water drainage systems within or adjacent to the project area. All runoff from the project area flows overland, or subsurface, to Soup Creek (a class I watercourse) which varies in distance from 75 ï 500 feet from the conversion area boundary. There is a 48 inch pipe missing on Soup Creek used as a crossing for a seasonal road. The pipe is

smaller in size than what the culvert sizing calculations would indicate for the 100 year flood frequency. However it has been in place many years and shows no signs of being over-topped.

***f) Would the project otherwise substantially degrade water quality?***

No other factors are currently known which may substantially degrade water quality.

***g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?***

No housing or other structures which may obstruct flows, or expose people or structures to significant risks will be constructed as part of this project.

***h) Would the project place within a 100-year flood hazard area structures that would impede or redirect flood flows?***

***i) Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?***

***j) Would the project result in inundation by seiche, tsunami, or mudflow?***

No people or structures will be exposed to significant risks from flooding as a result of levee or dam failure. This project will not expose people or structures to significant risks from seiche, tsunami or mudflow.

As a result of all the information before it, including the analysis contained in the this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on hydrology and water quality**.

### *Information about Land Use and Planning*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **X. Land Use and Planning. Would the project:** | | | | |
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ☒ |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

The Modoc County General Plan has zoned the parcels to be converted as Agriculture-Exclusive (AE). The purpose of an AE zone is to protect agriculture as an integral part of the county's economy and lifestyle by limiting incompatible land uses and reserving land that have a combination of size, water availability, soils and location suited to agriculture as defined in the General Plan. The AE zone is consistent with the exclusive agriculture general plan designation and may be applied to other high quality agricultural lands or lower quality lands that are an integral part of a ranch or farm operation, provided there are no conflicts with the general plan. The AE zone also provides for uses which support or complement agricultural uses and resource based uses such as mining provided adverse impacts do not occur to agricultural uses in the vicinity and the setting of the use in the AE zone overrides the necessity of maintaining the land for agricultural uses.

The following uses are allowed by right without special use permit or variance:

A- The growing and harvesting of tree, vine, field, forage and any other crops, nurseries, greenhouses or hydroponics.

B- The maintaining, raising, breeding and management of livestock, poultry and specialty animals; aquaculture or aviaries.

C- Agricultural management practices such as grading, soil preparation, erosion control, pest abatement, fertilizing, irrigation, aerial spraying and other practices customary to the particular agricultural operation.

D- Buildings and structures accessory to and customarily used in conjunction with an agricultural operation including those for the storage of equipment, supplies, produce, feed and petroleum products for use by the owner or occupant, equipment repair, storage tanks, irrigation structures, stock watering ponds or reservoirs.

E- Storage and associated packaging and shipping of agricultural products accessory to a bona fide agricultural operation in which at least fifty percent of such products were produced.

F- Processing and associated packaging and shipping of agricultural products accessory to a bona fide agricultural operation in which at least fifty percent of such products were produced or where the resulting product is consumed or used in the agricultural operation rather than marketed for direct or indirect compensation.

G- Roadside stands for the sale of agricultural produce grown on the parcel where the agricultural operation is located.

H- Farm forestry; forest management and fish and wildlife enhancement projects (18.100.010)

I- Flood control or ground water recharge projects.

J- Low intensity recreational uses.

K- Private energy development, commercial energy exploration.

L- Residential uses as follows:

1. When the parcel is at least seventy-five acres, one-family dwelling, farm employee housing and accessory uses located on land engaged in a bona fide agricultural operation when such dwellings are necessary for the use of the owner or occupant and their guests or farm employees.

2. When the parcel is not at least seventy-five acres, one-family dwelling and accessory uses.

M- Public uses and public utilities when land is not taken out of production and the use does not conflict with the purpose of the AE zone, excluding uses in Section 18.18.050.

N- Similar uses (18.100.010).

***a) Would the project physically divide an established community?***

There are no established communities close enough to be divided by this project.

***b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?***

The conversion of timberland to grazing land will not conflict with Modoc County zoning.

***c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?***

The project does not conflict with any plans.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on land use and planning.**

### *Information about Mineral Resources*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XI. Mineral Resources. Would the project:** | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | ☐ | ☐ | ☐ | ☒ |

## Discussion

There has been no mining in the area of any significance. There is no evidence of placer mining. There are no known mine shafts within the project area.

***a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

***b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?***

There are no known mineral resources or resource recovery sites on or adjacent to the property which may be affected by this project.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan. CAL FIRE determines that **this project will have no impact on mineral resources.**

### *Information about Noise*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XII. Noise. Would the project result in:** | | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards? | ☐ | ☐ | ☐ | ☒ |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☐ | ☒ |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☐ | ☒ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

***a) Would the project create exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?***

Lands zoned Agriculture Exclusive are covered by Modoc County Code 8.28 which allows any noise level in connection with agriculture activities.

***b) Would the project create exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?***

Ground borne vibration or noise is generally caused by, but not limited to, blasting, underground grinding, rock crushing, or other high impact activities. None of these activities are planned for this project. This project will not increase the exposure or persons or generate excessive ground borne vibration or ground borne noise levels.

***c) Would the project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?***

There will be no significant increase in noise levels as a result of this project. The increase in the number of cows grazing in this area will not significantly affect the noise level in the project area.

***d) Would the project create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?***

The conversion project will generate a temporary increase in noise from equipment during timber harvest operations. The level of temporary increase in noise is common throughout Modoc County.

***e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?***

***f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?***

There are no airports or private airstrips within ten miles for the project.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on noise levels.**

## *Information about Population and Housing*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XIII. Population and Housing. Would the project:** | | | | |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☒ |
| b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

The project is located in a very rural portion of Modoc County. Most of the permanent residents in the Jess Valley area are the employees (and their families) of the landowner. The landowner is currently operating a sizeable livestock operation. The additional 259 acres of grazing land will allow the landowner to increase the size of his beef cattle herd. The project has the potential to provide additional seasonal work for agriculture laborers. There are no plans to construct additional housing on the property so there will be no change in population in the immediate vicinity of the project. With the current numbers of houses on the market, and the small number of potential jobs, population and housing will not be significantly effected.

***a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?***

The landowner is currently operating a sizeable beef cattle operation. The additional 259 acres will allow the landowner to increase the size of his beef cattle herd. The project has the potential to provide a small amount of additional seasonal work for agriculture laborers but it will not contribute to substantial growth.

***b) Would the project displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?***

***c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?***

The land proposed for conversion to agriculture use is raw land with no residences. It will not be necessary for replacement housing as substantial numbers of existing housing and people will not be displaced. There is adequate housing on the Flournoy Ranch for the workers.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on population and housing.**

## *Information about Public Services*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XIV. Public Services. Would the project:** | | | | |
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: | | | | |
| Fire protection? | ☐ | ☐ | ☐ | ☒ |
| Police protection? | ☐ | ☐ | ☐ | ☒ |
| Schools? | ☐ | ☐ | ☐ | ☒ |
| Parks? | ☐ | ☐ | ☐ | ☒ |
| Other public facilities? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

The project is located in a very rural portion of Modoc County where fire protection is provided by the US Forest Service (closest fire station is the BLM West Valley Fire Station) and police protection is provided by the Modoc County Sheriffs Department. The closest elementary school is located in Likely over 12 miles to the west. The closest high school is in Alturas. This project will not have an impact on any public services.

***a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:***

***Fire protection?***

***Police protection?***

***Schools?***

***Parks?***

***Other public facilities?***

The local population is not anticipated to substantially increase because of any increase in the labor force. The landowner currently runs a ranch operation nearby and will use that labor force for the increased work load. No substantial adverse physical impacts to government facilities or services are expected.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on public services**.

### *Information about Recreation*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XV. Recreation. Would the project:** | | | | |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☐ | ☒ |
| b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

There are large areas of public land within the county managed by the US Forest Service and the BLM. The land provides a variety of recreational opportunities to the public including but not limited to hunting, fishing, hiking, and OHV. Access to these areas is from the many of the forest and county roads in the area. One of the trail-heads into the South Warner Wilderness Area is less than a mile to the east of the project area. This project will not have a significant impact on the ability to access recreational areas. For the safety and liability of the landowners and safety of the surrounding landowners, recreational use of the project area is by invitation only.

***a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***

The landowner is currently operating a sizeable agriculture operation. The additional 259 acres will allow the landowner to utilize his current employees more efficiently. This conversion project will not increase the use of existing recreational parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

***b) Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?***

The project does not include recreational facilities or require the construction or expansion of recreational facilities. The landowner does not allow public access to the project area for liability reasons and safety to his family and employees.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on recreation facilities**.

## *Information about Transportation and Traffic*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XVI. Transportation/Traffic. Would the project:** | | | | |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | ☐ | ☐ | ☐ | ☒ |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ☐ | ☐ | ☐ | ☒ |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ☒ |
| e) Result in inadequate emergency access? | ☐ | ☐ | ☐ | ☒ |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | ☐ | ☐ | ☐ | ☒ |

## *Discussion*

The access route to the project is via the Jess Valley Road (Forest Road 5). There are no additional encroachments needed for this project. There will be an increase in traffic during the harvest operations. There should be no increase in traffic after the completion of the conversion.

***a) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?***

During the timber harvest there will be about 6 ï 8 loads of logs removed per day. Additionally there will be four loggers that may drive there own vehicles to the job site each day. This will in no way cause any congestion or exceed the design capacity of the existing roads.

***b) Would the project conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?***

This project will not exceed either individually or cumulatively the level of service standard established by the Modoc County Road Department or the US Forest Service.

***c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?***

This project will not result in the change of air traffic patterns, either an increase in traffic levels or a change in location that results in substantial safety risks.

***d) Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

There will be no new encroachments or new road construction. The existing roads were designed for logging truck use. This project will not increase any traffic hazards.

***e) Would the project result in inadequate emergency access?***

There will be no change in the access ability of emergency vehicles to the parcel.

***f) Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?***

This project will not conflict with adopted policies, plans, or programs supporting alternative transportation. This project is located in a rural community where the amount of traffic will not support alternative transportation.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on transportation and traffic.**

## *Information about Utilities and Public Services*

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XVII. Utilities and Service Systems. Would the project:** | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ☐ | ☐ | ☐ | ☒ |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☐ | ☒ |
| e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the projectôs projected demand, in addition to the providerôs existing commitments? | ☐ | ☐ | ☐ | ☒ |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the projectôs solid waste disposal needs? | ☐ | ☐ | ☐ | ☒ |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☐ | ☒ |

### *Discussion*

The project is near a rural community which has phone and electric services available. With utilities immediately adjacent to the property and by using Best Management Practices, there will be no significant impact to utilities and service systems tin the area.

***a) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

***b) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

No waste water treatment or new facilities for wastewater treatment will be required, as there will be an insignificant amount of wastewater generated by this project.

***c) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

There is an existing 48ò permanent pipe near the Brooks Mill Site. It has been there many years and shows no signs of over-topping or plugging.

***d) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?***

There are sufficient water supply entitlements in place to accommodate the additional agriculture operations, as discussed in Section VIII, HYDROLOGY AND WATER QUALITY.

***e) Would the project result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?***

There are no wastewater treatment plants serving this project.

***f) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?***

There will be no solid waste generated by this agriculture operation. There will be some solid waste generated from establishing the operation. That material will be logging slash that cannot be run through a chipper. That material will be burned on site. There will be no solid waste from this project going to a land-fill.

***g) Would the project comply with federal, state, and local statutes and regulations related to solid waste?***

The landowner is responsible to ensure compliance with federal, state, and local statutes and regulations related to solid waste.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project will have a less than significant impact on utilities and service systems.**

| ENVIRONMENTAL ISSUES | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XVIII. Mandatory Findings of Significance.** | | | | |
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☐ | ☐ | ☐ |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (ñCumulatively considerableò means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | ☐ | ☐ | ☐ | ☐ |
| c) Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☐ | ☐ |

Authority: Public Resources Code Sections 21083 and 21083.05.
Reference: Government Code Section 65088.4, Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21083.05, 21083.3, 21093, 21094, 21095, and 21151; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors (1990)*, 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Government v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San* Francisco (2002) 102 Cal.App.4th 656.

### *Discussion*

***a) Would the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?***

As described in this assessment and in the Cumulative Impacts Assessments of the THP, application of the Forest Practice Rules and incorporation of the proposed mitigations into this project will reduce the impacts to wildlife habitat, wildlife population levels, Rare & Endangered species, and cultural resources to levels that are less than significant.

***b) Would the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)***

The conversion project does not have environmental effects that could be cumulatively considerable when combined with the effects of other projects in the area. The Cumulative Impacts Assessment of the THP is a study included as part of this project to assess the cumulative impacts. The results of the study indicate that the project as proposed would have less than significant cumulative impacts.

***c) Would the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?***

The conversion project does not have environmental effects which will cause direct or indirect substantial adverse effects on human beings, because the timber harvest and conversion to agriculture crops is consistent with similar land uses in the surrounding area and is zoned by the County of Modoc for agriculture purposes. The methods for harvesting, conversion, erosion control, and slash disposal incorporate practices and mitigations designed to minimize effects which are adverse to humans. Implementation of the approved THP and proposed TCP as presented will reduce the potentially significant adverse environmental effects on humans to levels that are less than significant.

As a result of all the information before it, including the analysis contained in this Initial Study, Timberland Conversion Plan, supporting documents and accompanying Timber Harvest Plan, CAL FIRE determines that **this project's effects will be less than significant following mitigation.**

**Mitigation Monitoring and Reporting Plan (MMRP)**
**for the**
**Brooks Mill Agriculture Timberland Conversion Project**

In accordance with CEQA Guidelines Section 15074(d), when adopting a mitigated negative declaration, the lead agency will adopt a Mitigation Monitoring and Reporting Plan (MMRP) that ensures compliance with mitigation measures required for project approval. The California Department of Forestry and Fire Protection (CAL FIRE) is the lead agency for the above-listed project and has developed this MMRP as a part of the final Initial Study/Mitigated Negative Declaration (IS/MND) supporting the project. This MMRP lists the mitigation measures developed in the IS/MND which were designed to reduce environmental impacts to a less-than-significant level. This MMRP also identifies the party responsible for implementing the measure, defines when the mitigation measure must be implemented, and which party or public agency is responsible for ensuring compliance with the measure.

This is a draft MMRP, and as such, may change substantially prior to adoption at the time of permit issuance to changes in this mitigate negative declaration.

## AIR RESOURCES

**Potentially Significant Impact 1:** Burning the slash and woody debris from site clearing activities and hauling operations during harvest operations could increase airborne pollutants.

**Mitigation Measure 1.1:** Burning will be on permissive burn days only after the end of the CAL FIRE declared fire season and before April 1.

| | |
|---|---|
| Schedule: | During conversion operations |
| Responsible party: | Applicant |
| Verification of Compliance: | |
| Monitoring party: | California Department of Forestry and Fire Protection (CAL FIRE) |
| Initials: | _____ |
| Date: | _____ |

**Mitigation Measure 1.2:** During timber operations, road running surfaces in the logging area shall be treated as necessary to prevent excessive loss of road surface materials by, but not limited to, rocking, watering, chemically treating, asphalting or oiling.

Schedule: During conversion operations
Responsible party: Applicant
Verification of Compliance:

Monitoring party: California Department of Forestry and Fire Protection (CAL FIRE)

Initials: _____

Date: _____

**Mitigation Measure 1.3:** Plant cover crop (grass) as per NRCS recommendations after the completion of harvest operations.

Schedule: During conversion operations
Responsible party: Applicant
Verification of Compliance:

Monitoring party: California Department of Forestry and Fire Protection (CAL FIRE)

Initials: _____

Date: _____

**BIOLOGICAL RESOURCES**

**Potentially Significant Impact 2:** Potentially significant effects may occur to Northern goshawks and greater sandhill crane within the conversion area.

**Mitigation Measure 2.1:** To enhance the foraging habitat for goshawks 125 square feet of basal area per each five acres shall be retained (average 25 square feet per acre). Trees to be retained shall be of all sizes and ages. Retained trees may be grouped within each five acre block.

Schedule: During conversion operations
Responsible party: LTO (Licensed Timber Operator)
Verification of Compliance:

Monitoring party: California Department of Forestry and Fire Protection (CAL FIRE)

Initials: _____

Date: _____

**Mitigation Measure 2.2:** To protect goshawks that may be present a survey for goshawks shall be made if operations will occur within the nesting season (March 15 ï August 15). In the event nesting goshawks are discovered no operations shall occur until nesting season has ended.

Schedule: Prior to conversion operations
Responsible party: RPF
Verification of Compliance:

Monitoring party: California Department of Forestry and Fire Protection (CAL FIRE)

Initials: _____

Date: _____

**Mitigation Measure 2.3:** To protect sand hill cranes that may be present a survey of sand hill cranes shall be made if operations will occur within the breeding season (March 1 ï August 1). In the event cranes are discovered no operations shall occur until breeding season has ended.

Schedule: Prior to conversion operations
Responsible party: RPF
Verification of Compliance:

Monitoring party: California Department of Forestry and Fire Protection (CAL FIRE)

Initials: _____

Date: _____

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Mr. Lenz did the plant survey.

## LIST OF REFERENCES AND CONSULTATIONS

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Documents:

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Drawings and Specifications- Seeding Recommendation Brooks Mill Timber Harvest Plan, Prepared by the Alturas Field Office, Modoc County October 15, 2009

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# Appendices